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SUBJECT: DUTCH DRUG POLICY: NO SIGNIFICANT CHANGE ANTICIPATED

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¶1. (SBU) Summary: The ministers of Justice and Health told Parliament during a March 6 debate that they did not anticipate significant changes in Dutch drug policy over the next few years; they also stressed that the government does not intend to seek revisions to international drug treaties. The Ministers said they would submit a strategic assessment of Dutch drug policy to the Second Chamber in the spring of 2009. The assessment will include the government's proposals on Dutch drug policy over the next few years, as well as a review of Dutch soft drug policy over the past 30 years, and a comparison between Dutch and foreign drug policies. Working level contacts at the Ministries of Health and Justice confirmed that the strategic assessment was unlikely to lead to major changes in Dutch drug policy. Separately, Health Minister Klink told Parliament that coffeeshops would not be exempt from the tobacco smoking ban which goes into effect on July 1. End Summary.

ASSESSMENT, NOT MAJOR CHANGE

¶2. (U) At the request of opposition party Democrats 66 (D66), the Dutch parliament debated drug policy on March 6. Minister of Justice Ernst Hirsch Ballin and Minister of Health Ab Klink said they would conduct a strategic assessment of Dutch drug policy which would be submitted to the Second Chamber in the spring of 2009. The assessment will include the government's proposals on Dutch drug policy over the next few years, a review of Dutch soft drug policy of the past 30 years, and a comparison between Dutch and foreign drug policies. Klink said that he had also asked the National Institute for Public Health and the Environment (RIVM) to study the relative health risks of various kinds of drugs, including alcohol, tobacco, cannabis, and pharmaceuticals. That study is expected to be similar to a British study published in The Lancet in March 2007, and will indicate whether or not the current Dutch classification system should be revised. Additionally, the previously planned second risk analysis of cannabis, as well as a new drug prevention report, will be published before the end of the year. The conclusions from all three studies will be reflected in the strategic assessment.

¶3. (U) Boh Hirsch Ballin and Klink stated that no drastic changes would be required in Dutch drug policy over the next few years and that the GONL did not intend to seek revisions to international drug treaties. Klink said that he would seriously promote the principle of harm reduction during the upcoming assessment of the 1998 UNGASS drug policy action plan. He noted that harm reduction is a very important and well-tested method for preventing HIV and other infections. He said that he would soon submit an amendment to the Opium Act to ban the use of fresh magic mushrooms, as the Second Chamber requested in November 2007. Both dried and fresh magic mushrooms will be put on list 2 (the "hard" drug list) of the Opium Act. (Note: The possession or sale of "hard" drugs is a criminal offense; the sale or possession of small quantities of "soft" drugs, primarily cannabis products, is "tolerated." End Note) Hirsch Ballin said he would soon submit a bill to ban so-called "grow" shops that sell, deliver, transport and manufacture equipment for cannabis cultivation.

¶4. (U) D66 opposition party spokesman Van der Ham, who requested the debate, concluded that there no longer was a parliamentary majority in favor of regulating the supply of cannabis to coffeeshops to end the controversial policy of allowing "front door" sales while banning "backdoor" deliveries. Van der Ham submitted a resolution asking the government to use the UNGASS review to promote the position that "harm reduction as a starting-point for drug policy should be the leading principle." Klink advised against the resolution, noting that while harm reduction was an important principle, prevention and fighting trafficking were equally important. He stated that he did not want to reopen drug treaties, but would work on harm reduction within the framework of the current treaties. The Second Chamber rejected Van der Ham's resolution on March 13.

¶5. (SBU) Ministry of Health Senior Policy Officer Marcel de Kort and Ministry of Justice drug policy expert Jean Luc Luijs told us in separate conversations that the GONL is just beginning to define the scope and methodology of the drug policy strategic review. The current drug policy was developed in 1995; de Kort and Luijs

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indicated that the strategic assessment would allow the government to take stock of current policy, and to substantiate the effectiveness of the hard drug/soft drug approach. Additionally, the strategic assessment will ensure that Dutch drug policy is in line with the EU Drugs Action Plan (2005-2008). However, both stressed that no significant changes to Dutch drug policy are anticipated as a result of the strategic assessment. The second risk assessment of cannabis, which will look at the relationship between higher THC levels and risk/addiction, the relationship between cannabis and mental disorders, and the increase in requests for treatment, will be considered as part of the strategic assessment, as will the RIVM study and the new drug prevention report. (Note: the first risk assessment of cannabis was conducted in 2006. End note.) De Kort added that while there is a large minority in parliament in favor of policy liberalization, there is an equally large minority in favor of tightening policy, and therefore the status quo will likely remain.

TOBACCO SMOKING BAN WILL APPLY TO COFFEE SHOPS

¶6. (U) Separately, Health Minister Klink said in a reply to parliamentary questions that coffeeshops would not be exempted from the tobacco smoking ban that goes into effect on July 1, 2008, and that tobacco smoking will be allowed only in special closed-off smoking areas of coffeeshops. He noted that just like workers in the regular catering sector, coffeeshop workers need to be protected from tobacco smoke. Klink said that smoking cannabis without tobacco in coffeeshops is permitted under the Tobacco Act. He promised Parliament a study on the effects of the tobacco smoking ban in coffeeshops by early next year, including information on possible changes in smoking behavior of coffeeshop visitors such as switching to pure joints or other alternatives.

¶7. (SBU) COMMENT. Despite widespread speculation that the Dutch government would initiate a major overhaul of Dutch drug policy,

including a move either to end the distinction between hard and soft drugs, or to further liberalize treatment of cannabis to permit regulated, wholesale deliveries of cannabis products to coffeeshops, it seems clear the government does not plan any such change. Nor will the Dutch seek significant revisions to international drug treaties. Regardless of the outcome of the strategic assessment, we expect the Dutch to continue their efforts to actively enforce laws against trafficking and commercial production of both hard and soft drugs, including the expanded enforcement efforts by regional police forces against indoor marijuana plantations.

Gallagher